

House File 427 - Introduced

HOUSE FILE 427

BY R. OLSON

A BILL FOR

1 An Act relating to circumstances requiring a court to order the
2 revocation of a defendant's driver's license.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 901.5, subsection 10, unnumbered
2 paragraph 1, Code 2011, is amended to read as follows:

3 In addition to any sentence imposed pursuant to chapter 902
4 or 903, the court, in the absence of compelling circumstances
5 warranting an exception, shall order the state department of
6 transportation to revoke the defendant's driver's license or
7 motor vehicle operating privilege for a period of one hundred
8 eighty days, or to delay the issuance of a driver's license
9 for one hundred eighty days after the person is first eligible
10 if the defendant has not been issued a driver's license, and
11 shall send a copy of the order in addition to the notice of
12 conviction required under section 124.412, 126.26, or 453B.16,
13 to the state department of transportation, if the defendant is
14 being sentenced for any of the following offenses:

15 EXPLANATION

16 Under current law, a court is required to order the
17 department of transportation to revoke a defendant's driver's
18 license or motor vehicle operating privilege for a period of
19 180 days or, if the person does not have a driver's license, to
20 delay the issuance of a license for 180 days after the person
21 is first eligible, if the defendant is being sentenced for an
22 offense relating to possession or distribution of controlled
23 substances. The license revocation is in addition to any
24 sentence imposed for the crime. The department is authorized
25 to issue a temporary restricted driver's license to such a
26 person whose license has been revoked by the court, but only
27 in a case of hardship or circumstances where alternative means
28 of transportation do not exist.

29 This bill provides an exception to the requirement for the
30 court to order revocation of a defendant's driver's license
31 for cases in which the court finds compelling circumstances
32 warranting such an exception.